

EXHIBIT H

IN THE CIRCUIT COURT OF JEFFERSON COUNTY
STATE OF MISSOURI

JEFFERSON COUNTY,

Plaintiff,

v.

DANNIE E. WILLIAMS, M.D., *et. al.*,

Defendants.

FILED
NOV 08 2021

MICHAEL E. REUTER
CIRCUIT CLERK

Case No. 20JE-CC00029

**JOINT STIPULATION AND ~~PROPOSED~~ ORDER REGARDING MOTION TO
INTERVENE**

Plaintiff Jefferson County, Defendants Express Scripts, Inc., Express Scripts Pharmacy, Inc., and Evernorth Health, Inc. (formerly “Express Scripts Holding Company”) (together, the “Express Scripts Defendants”), and third-party ESI Mail Pharmacy Service, Inc., by and through their undersigned counsel, jointly stipulate as follows:

WHEREAS, on October 12, 2021, third-party ESI Mail Pharmacy Service, Inc. filed a Motion to Intervene (the “Motion”) as a party defendant in the above-captioned litigation;

WHEREAS, on October 26, 2021, Jefferson County filed Plaintiff’s Opposition to Motion to Intervene and Stipulation Mooting Motion to Intervene;

WHEREAS, Plaintiff Jefferson County, the Express Scripts Defendants, and ESI Mail Pharmacy Service, Inc. wish to resolve the Motion by agreement;

ACCORDINGLY, IT IS STIPULATED AND AGREED, by and among Plaintiff Jefferson County, the Express Scripts Defendants, and ESI Mail Pharmacy Service, Inc., that:

1. The Second Amended Petition does not include specific allegations regarding dispensing practices against any Express Scripts Defendant and does not seek to establish dispensing liability against any of the PBMs.

2. Plaintiff Jefferson County is not seeking and will not in the future seek recovery against the current Express Scripts Defendants based on dispensing activities.

3. Plaintiff Jefferson County does not seek to and will not pursue any claims in the captioned litigation against any Express Scripts Defendant for failure to comply with dispensing standards applicable to entities licensed or registered to dispense opioids.

4. There will be no judgment in this case that will bind ESI Mail Pharmacy Service, Inc.

5. Based on the foregoing stipulations, third-party ESI Mail Pharmacy Service, Inc. withdraws its Motion without prejudice.

SO ORDERED, this 8 day of November, 2021.


Hon. Joseph Rathert

Dated: November 5, 2021

/s/ John Garvey

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